

VIRGINIA BOARD OF NURSING

GUIDANCE DOCUMENT # 90-10

TITLE: Guidelines for Processing Applications for License: Examination, Endorsement and Reinstatement

Applicants for licensure or certification by examination, endorsement and reinstatement who meet the qualifications as set forth in the law and regulations shall be issued a license or certificate pursuant to authority delegated to the Executive Director of the Board in 18 VAC 90-20-20 of the Board of Nursing Regulations.

An applicant whose license or certificate has been revoked or suspended is not eligible for licensure or certification in Virginia unless the credential has been reinstated by the jurisdiction which revoked or suspended it. Pursuant to §54.1-2408 of the Code of Virginia, such applicants shall be advised in writing of their ineligible status by the Executive Director.

Affirmative responses to any questions on applications for licensure or certification related to grounds for the Board to refuse to admit a candidate to an examination, refuse to issue a license or certificate or impose sanction shall be referred to the Board President as to how to proceed. The Executive Director, or designee, may approve the application without referral in the following cases:

1. The applicant presents a history of chemical dependence with evidence of continued abstinence and recovery (will not apply to applicants for reinstatement if license or certificate was revoked or suspended by the Board or if it lapsed while an investigation was pending.)
2. There is a history of a criminal conviction which does not constitute grounds for denial or Board action pursuant to §54.1-3007 of the Code, or meets the following criteria:
 - Conviction history of all misdemeanors greater than 10 years old. Can be more than one conviction.
 - If one misdemeanor conviction greater than 5 years old, as long as court requirements have been met.
 - If one felony conviction, greater than 10 years old and non-violent in nature, and all court/probationary/parole requirements have been met.
3. Offenses committed as a juvenile with no further record.

4. Applicants with a conviction history previously reviewed and approved by the Board in another occupation regulated by the Board of Nursing and without subsequent criminal convictions.

These guidelines shall be reviewed by the Board when the majority of the members of the Board change and when a new Executive Director is appointed.

Accepted: 1985

Revised: 1993; September 24, 2003; May 20, 2008